1: Dube E-5 (1951-52) 1955 AW17 Telugu AW17

But when the decision is announced, it is done so in a manner that indicates unanimity among the members. Besides attempting arbitration and mediation, the village council also administers punishment when a person's guilt is proved. The nature of punishment itself differs in different categories of cases, also on the basis of persons involved in the dispute. It ranges from a simple warning to a complete social boycott; the intermediate stages being stern admonition, firm demand for apology, compensation to the aggrieved, and fining.

Absence of internal unity within the council has undermined its authority considerably. The fact that some of its members allow and encourage their protégés to defy—fully or partially—its decisions, contributes further to its growing weakness. Dissatisfied with its judgement one can always take the case to a regular court of law where the decision of the council may be reversed.

With these preliminary observations we can now proceed to examine a few illustrative cases which represent typical situations met with in the life of the community:

(1) V. R. R. and his brother B. live together. Their parents are dead, and being minor B. lives with his elder brother. V. R. R. has had elementary education. Being married into a respectable lower middle-class family in the city, and himself with some experience of urban life, V. R. R. regards himself as the leader of a band of city-influenced youth. As most of his time is spent in loafing, planning mischief, gambling, drinking and instigating people to quarrel, he cannot devote much time to the land, and consequently the financial position of the family is not satisfactory. V. R. R. adds to his income by extorting money from the villagers by offering his advice, help and support—often for unjust causes—but this money is spent almost wholly on himself. B. is now an adolescent, and is fast approaching a marriageable age. Noticing his elder brother's indifference towards him, B. approached some of the elders of his caste. His main complaints were: (*a*) V. R. R. does not spend his (B.'s) share of the land and its produce on him. (*b*) Nothing is being saved for his marriage. One day V. R. R. lost his temper over some trifling issue and scolded his younger brother. B. ran to E. D. R.—an influential man in the village, and the hereditary leader of his caste. Fearing that B. might be beaten by his elder brother, E. D. R. accompanied him to his house and asked V. R. R. to come out of the house and listen to

692 [696] any of the following offences—offences punishable under Sections 160, 277, 289, 290, 323, 334, 352, 358, 379, 426, 504 and 510 of the Indian Penal Code and offences punishable under Section 3 Clause (9), 11, 12 of the Town Nuisance Act of 1889, etc. If a Panchayat Court found an accused person guilty of an offence under Section 510 of the Indian Penal Code, it was empowered to impose a fine not exceeding Rs. 10 and a fine not exceeding Rs. 15 in respect of any other offence. The District Magistrate or the sub-divisional Magistrate was empowered to set aside conviction in appeal on the ground of corruption, partiality, misconduct, gross miscarriage of justice on the part of the Village or Panchayat Court.

D. Supervision and Control : The civil work of the Village and Panchayat Courts was supervised by District Musif, Sub-Judge or District Judge within whose jurisdiction they functioned and the criminal work was supervised by the Magistrates' Courts. The control over the Village and Panchayat Courts was in the hands of the District Collector.

It was unfortunately not possible for us to have a very satisfactory sample for enquiry of the Village and Panchayat Courts due to the lack of early sympathatic Government cooperation for a long time. As such the survey was conditioned by various difficulties and limitations.

PART II

Actual Conditions as Revealed by the Survey

Panchayat Courts were in every district and there were both good and bad specimens. There were Panchayat Courts in major as well as in minor Panchayats and the size of the Panchayat had no bearing on the efficiency of the Panchayat Court.

Samples of good, unsatisfactory and indifferent Panchayat Courts had been chosen for inquiry, from each of the districts surveyed, as shown in the table on the next page.

31: Slater S-5 (1916-1917) 1918 AWI India
Telugu AWI7

796 from Rs. 100 to Rs. 150, largely spent on drink. The priests of the goddess are low caste people, chiefly the washerman caste. They get new cloths as presents. The whole celebration is barbarous and repulsive.

624 *The village administration.*—There is no panchayat in the village. The village officers consist of a karnam, a munsif, and three servants. The karnam keeps the village accounts, while the munsif collects the revenue and attends to small criminal cases. The munsif does not generally care to try civil cases even within his province; they all go to the District Munsif's court.

364 Nobody attends to the village sanitation, though the munsif is expected to do so. The villagers too do not care to help him in his work. The Sanitary Inspector comes once in a year, and quietly goes away with satisfactory remarks from the easy chair in his note book. He being the one officer for two or three taluks, cannot pay much attention to one taluk in particular; besides he also has engineering work.

625 The police station is seven miles away. When crimes of extraordinary nature take place, the munsif reports the same to the police, who come and conduct enquiries. Most of the crimes are hushed up. Police enquiry is a sham. So is the night patrolling, which is the duty of the village servants.

692 The munsif is expected to hear petty crimes; but many cases
696 that might have been decided here go to the Magistrate's court. Many crimes have been left undetected, and the criminals unpunished, crimes which were horrible and plainly proved. As locally interpreted, the effect of the Evidence Act is such as to render the most proved case null and void for "want of proper evidence." When a murderer once escapes easily from punishment, another is at once encouraged. All the villagers know that it is these considerations that encouraged a man engaged in litigation to murder another who was about to give evidence against him. That case went unpunished. Such is the case with most murders. In fact, most men engaged in important litigation are afraid for their
674 lives in this village. In three years there have been four murders in the neighbourhood of the village, two killed in connection with litigation and two in connection with robbery from the person.

691 There is much litigation. About 45 cases are filed every year. Of these twenty to twenty-five will be for non-clearance of debts, and fifteen to twenty for land disputes. The villagers do not seem to show any hesitation or fear in resorting to the courts. The half educated Brahman in the village, acting as an agent for a vakil, with no other profession, tries to earn his livelihood by creating enmity and disputes among ignorant families and dragging them to the courts. Thus several families which were once considered very rich have been ruined. One family of Komatis, for example, with a property of about Rs. 20,000, was sued by some relations for a partition of the estate. The Vaisya refused all compromise in the earlier courts, pursued the case at enormous expense through the three courts, till he finally lost the whole estate in the High Court. In the end, the family of twelve children, with not an inch of land for support, and no means of liquidating the debts contracted for the court expenses, have sold their big house and gone away to the Agency tracts as beggars to fill their bellies. There are many families in the village similarly ruined.